



Examiner : Scott R. Kastler  
Art Unit : 1742  
Docket No. : 52433/763

AP  
IF

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : T. TOMINAGA et al.  
Serial No. : 10/826,772  
Filed : April 16, 2004  
For : TREATMENT METHOD FOR IMPROVING FATIGUE LIFE AND LONG-LIFE METAL MATERIAL TREATED BY USING SAME TREATMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER**

SIR:

Transmitted herewith is an Amendment/Response in the above-identified patent application.

☒ No additional fee is required.

The fee has been calculated as shown below.

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. OR FEE	RATE	ADDIT. FEE		
TOTAL 3	MINUS 33	= 0	x6=	\$	x 50 =	\$	0.00	
INDEP. 1	MINUS 3	= 0	x18=	\$	x200 =	\$	0.00	
[ ] FIRST PRESENTATION OF MULTIPLE					x60=	\$	0.00	
DEP. CLAIM	TOTAL							
	ADDIT. FEE				\$ OR \$			
					0.00			

☒ The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 which may be required to Deposit Account 11-0600. A duplicate of this paper is enclosed.

☐ A petition for a \_\_\_\_ ( ) month extension of time and Deposit Account authorization to cover the extension fee are enclosed.

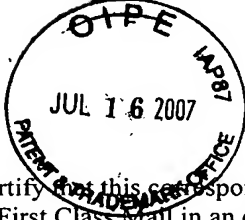
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 13, 2007.

John J. Kelly, Jr.  
John J. Kelly, Jr. Reg. No. 29,182

Respectfully submitted,

KENYON & KENYON LLP

By: John J. Kelly, Jr.  
John J. Kelly, Jr.  
Reg. No. 29,182



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*John J. Kelly, Jr.*

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**AMENDMENT UNDER RULE 116**

SIR:

Entry of the present amendment and reconsideration of the above-identified patent application, as amended, is respectfully requested. The present amendment is responsive to the Office Action mailed April 17, 2007.